



House of Representatives

File No. 545

General Assembly

February Session, 2010

(Reprint of File No. 376)

Substitute House Bill No. 5452
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 14, 2010

AN ACT CONCERNING THE PROVISION OF VOLUNTEER HEALTH CARE SERVICES ON A TEMPORARY BASIS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2010*) No provision of title 19a or
- 2 20 of the general statutes shall be construed to prohibit an out-of-state
- 3 health care practitioner who holds a current unrestricted health care
- 4 practitioner license or certificate issued in another state, territory of the
- 5 United States or the District of Columbia from providing
- 6 uncompensated health care services in this state in association with: (1)
- 7 A free clinic or other similar charitable medical event that provides
- 8 health care services to persons at no cost; or (2) the Special Olympics or
- 9 any other similar athletic competition held in the state that attracts a
- 10 large number of out-of-state participants, provided the out-of-state
- 11 health care practitioner: (A) Does not represent himself or herself to be
- 12 a Connecticut licensed or certified health care practitioner; (B) only
- 13 provides health care services to patients seeking health care services at
- 14 a charitable medical event or athletes participating in the Special
- 15 Olympics or other similar athletic competition; (C) only provides

16 health care services authorized pursuant to state law while under the
17 supervision of a Connecticut licensed or certified health care
18 practitioner within the same professional licensure or certification
19 category; and (D) maintains professional liability insurance or other
20 indemnity against liability for professional malpractice either
21 personally or through the sponsoring organization in an amount that is
22 equal to or greater than that required for similarly licensed or certified
23 Connecticut practitioners. Any organization conducting a free clinic,
24 charitable medical event or athletic competition shall be responsible for
25 ensuring that an out-of-state health care practitioner participating in
26 such event fully complies with the requirements of this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2010</i>	New section
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which allows certain out-of-state, volunteer health care practitioners to provide health care services at free clinics, the Special Olympics, and other similar events without holding Connecticut licenses, does not result in a fiscal impact.

House "A" makes a clarifying change to the underlying bill and does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5452 (as amended by House "A")******AN ACT CONCERNING THE PROVISION OF VOLUNTEER HEALTH CARE SERVICES ON A TEMPORARY BASIS.*****SUMMARY:**

This bill allows out-of-state, volunteer health care practitioners to provide health care services in Connecticut at (1) a free clinic or similar charitable medical event providing free health care services or (2) the Special Olympics or similar athletic event attracting a large number of out-of-state participants provided they meet certain criteria. The practitioner must:

1. hold an unrestricted license or certificate in another state, territory, or the District of Columbia;
2. not represent himself or herself as a Connecticut-licensed or -certified health care practitioner;
3. provide services only to patients or athletes participating in these events;
4. provide only those services permitted by Connecticut law;
5. provide services only under the supervision of a Connecticut-licensed or -certified health care practitioner within the same licensure or certification category; and
6. maintain, either personally or through the sponsoring organization, professional liability insurance or other professional malpractice insurance in an amount equal to or greater than that required for a comparable Connecticut licensee or certificate holder.

The bill requires the organization providing such events to ensure that any participating out-of-state practitioner fully complies with the bill's provisions.

*House Amendment "A" specifies that out-of-state volunteer healthcare practitioners may maintain the professional liability insurance or other professional malpractice insurance required under the bill either personally or through the sponsoring organization.

EFFECTIVE DATE: July 1, 2010

BILL APPLICABILITY

The bill appears to apply to any licensed or certified health care practitioner, which under current law may include physicians and surgeons, osteopaths, chiropractors, natureopaths, podiatrists, athletic trainers, physical therapists, occupational therapists, alcohol and drug counselors, radiographers, radiologic technologists, midwives, nurses, nurses aides, dentists, dental hygienists, optometrists, opticians, respiratory care practitioners, perfusionists, pharmacists, psychologists, marital and family therapists, clinical social workers, professional counselors, veterinarians, massage therapists, and emergency medical technicians.

BACKGROUND

Out-of-State Health Care Providers Allowed To Work in an Emergency

Current law allows various health care practitioners licensed, certified, or registered in another state, territory, or the District of Columbia, to work in Connecticut during a declared public health emergency. They can work only within the scope of their practice as permitted by Connecticut law. The law allows the public health commissioner to suspend, for up to 60 consecutive days, state licensing, certification, or registration requirements that apply to them (CGS §19a-131j).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 30 Nay 1 (03/24/2010)